

LABOR COMMISSION OPEN MEETING MINUTES

December 9, 2009

1:00 p.m.

**Heber M. Wells Building
160 East 300 South, Third Floor
Salt Lake City Utah 84114**

PRESENT From the Labor Commission:

Sherrie Hayashi, Commissioner

Alan Hennebold, Deputy Commissioner

Ron Dressler, Interim Director, Industrial Accidents Division

Bill Adams, Utah OSHA

Eldon Tryon, Utah OSHA

Louis Silva, Director, Utah OSHA

Heather Morrison, Director, Utah Antidiscrimination and Labor Division

Brent Asay, Antidiscrimination and Labor Division

Sara Danielson, Administration

Robyn Barkdull, Public Information Officer

OTHERS PRESENT:

No one from the public attended this meeting.

Commissioner Hayashi began the meeting at 1:00 p.m.

1. Utah OSHA - R614-7-1: Roofing, Tar-Asphalt Operations

This rule was developed by Utah OSHA before federal OSHA enacted the fall protection standards now found at 29 CFR 1926, Subpart M. Utah OSHA has incorporated the newer federal standards by reference. As a result, parts of the older Rule 614-7-1 are outdated and conflict with the federal standards. Utah OSHA proposes to repeat the outdated and conflicting provisions of Rule 614-7-1.

As there was no public comment, **Commissioner Hayashi** said this rule will proceed through the rulemaking process.

2. Industrial Accidents - R 612-13: Proceedings to Impose Non-Reporting Penalties Against Employers

The proposed rule designates initial proceedings to impose non-reporting penalties against employers as “informal” adjudicative proceedings. The proposed rule designates all subsequent proceedings as “formal” adjudicative proceedings.

Commissioner Hayashi said this rule will also proceed through the rulemaking process. Public comment can be taken through January 14, 2010 with a proposed effective date of January 21, 2010.

3. UALD R610-3-22: Payment of Wages Via Pay Cards

The proposed rule authorizes employers to use pay cards to pay wages, provided that the pay cards allow withdrawal of the full amount of wages at no cost to the employee. The card must allow the employee to use it once without incurring a fee. On each payday, the employer shall also provide the employee a statement of deductions from the gross wages for the pay period. The pay statement may be provided in writing or electronically, as long as the employee has immediate access to it and can print a copy without cost.

Commissioner Hayashi said this rule will now proceed through the rulemaking process.

The Commissioner adjourned the meeting at 1:20.